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The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Thomas McLaughlin
Docket No. 09-CR-849-01(BMC)

Dear Judge Cogan:

Born into a lower middle class family, Thomas McLaughlin is the youngest of six children. His father, who received Social Security Disability benefits, was an alcoholic who drank on a daily basis. He verbally and physically abused Tommy's mother on a near daily basis. When Tommy or one of his brothers attempted to protect their mother, they would become the target of the father's physical abuse. Gradually, as they approached adulthood, all of his siblings left home. Then, when he was fifteen years old, Tommy's mother left her husband. One night shortly thereafter, when his father became physically abusive, Tommy pushed him, threw him to the ground and left home for good. Tommy saw his father only one time after that when his brother brought him to visit Tommy in prison. Since his father was drunk and reeked from alcohol, the visit was a "fiasco and an embarrassment" according to Tommy.

After leaving home, Tommy went to live with his friend Richie Greaves. Along with Dino Calabro and others, they were known as the "Bay Parkway Boys". Tommy committed various petty crimes to support himself and occasionally got into fights where more often than not, he would beat-up his opponent. When one of those opponents was "with" an organized crime family, Tommy got into "trouble". At this point, Tommy's cousin interceded and took care of the problem. The cousin, Thomas Gioeli, was a made member of the Colombo family and later rose to be a captain in the family. Gradually, Tommy became more and more involved with Colombo family criminal activities under the protection and guidance of Gioeli. This involvement, as an associate of the family, led to Tommy's New York State and Federal convictions for which he served an aggregate sentence of sixteen years before his release in September, 2008. Tommy continued his criminal behavior while incarcerated by participating in an extortionate extension of credit conspiracy beginning in 2007 and continuing until 2009.

So far, Tommy's story is all too similar in most respects to scores of other stories the Court has borne witness to throughout the years. However, Tommy's life was forever changed in 2009 when he was approached by agents of the Federal Bureau of Investigation and asked to become a cooperating witness. After much soul searching and conversations with his wife of two months, Tommy agreed to become a cooperating witness. (Tommy and his wife describe this period in their lives in the attached letters). I read the government's sentencing submission which describes in great detail what I would characterize as his extraordinary cooperation.

Forced to relocate for security reasons, Tommy has maintained gainful employment since he left New York. He worked as a clerk for the local Board of Elections; as a cable technician; as a package handler/deliveryman; and as a digital home alarm installer. He had to leave the last job because of his criminal record. However, he immediately got a job that he started April 23rd with an airline carrier performing various functions. Documents from his employer are being sent to U.S.P.O. Roberta Houlton and A.U.S.A. Elizabeth Geddes.

In addition, he borrowed money from his wife's family and in partnership with a husband and wife, invested in a pizzeria/restaurant. However, when Tommy found out that his partners were paying the employees off the books and were hiding income, he not only immediately sought to end the partnership but he also notified the F.B.I. and Ms. Geddes. As leverage in their civil dispute, the couple had Tommy arrested for allegedly making threats against them. As noted in ¶ 107 of the report, this case was dismissed. Tommy later sued the couple and they settled for $10,000.00 which represented about 25% of Tommy's investment.

Further proof that he is a changed man can be found in the two additions to his household, his child and nephew. In 2010 his child was born. In their letters, Tommy and his wife describe what it means for him to be a father and to be able for him to give unconditional love to another. Further, in 2012 Tommy took custody of his sixteen year old nephew who was living with a drug addicted mother who could not care for him and a father who could not provide for him. (Since the report was prepared, the nephew's mother has died of a drug overdose). Since he began living with the McLaughlins, the nephew's behavior has improved, he does better in school and has made a number of friends.

I cannot and do not minimize the seriousness of the criminal conduct the defendant was involved in. However, the Court should be aware that other than the extortionate extension of credit conspiracy, all of the other charged conduct occurred when Tommy was in his early twenties. Second, while he played a significant role in the charged homicides, he was not the shooter, nor did he plan the crimes nor did he have any managerial authority. Third, the Amato and Fusaro homicides and the conspiracy to cause the death of Orena faction members were all charged in the prior federal case.

People change and sometimes it takes longer for some than others. It took Tommy sixteen years and the FBI to get him on the right path. In the last five plus years, he went from being a young street-wise hoodlum to a forty four year old loving husband, father, brother, uncle and hard worker. Based on the foregoing, I respectfully request that the Court allow him to remain on the path he has now chosen and impose a non-jail sentence.

Thank you for your attention.

Very truly yours,

Stuart J Grossman

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Attachments

cc.: AUSA Elizabeth Geddes, via email with enclosures
USPO Roberta Houlton, via email with enclosures
Thomas McLaughlin, via email without enclosures